IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SECOND APPEAL No. 258 of 1985

For Approval and Signature:

HONOURABLE MR.JUSTICE R.S.GARG

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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GUJARAT STATE ROAD TRANSPORT CORPORATION - Appellant(s)
Versus
BABULAL BAVADIYA - Defendant(s)

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Appearance :
MS MAYA S. DESAI FOR MR MD PANDYA for Appellant(s) : 1,
MR JD AJMERA for Defendant(s) : 1,

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CORAM : HONOURABLE MR.JUSTICE R.S.GARG

Date : 06/09/2006

ORAL JUDGMENT

1. Ms.Maya S. Desai, learned advocate for the appellant under the authority of Mr.M.D. Pandya, learned advocate

submits that after the suit was decreed in favour of the plaintiff, the plaintiff was reinstated into the services, he was required to work on some post other than post of Conductor and during the pendency of the appeal, he died somewhere in the year 2000 and the said fact was brought to the notice of the appellant in the year 2004, but since thereafter, no steps have been taken for substituting legal heirs. According to her in view of death of the sole plaintiff, nothing remains to be decided in the matter.

2. In view of the aforesaid submission, the appeal is dismissed. No costs.

(R.S. GARG, J.)

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